

**PRODUCT:** 334 50-pound tins of frozen red raspberries at Nashville, Tenn.

**LABEL, IN PART:** "Fresh Cleaned Red Rasp."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed raspberry material.

**DISPOSITION:** April 29, 1947. Default decree of condemnation and destruction.

**12117. Misbranding of frozen red raspberries. U. S. v. 150 Cases \* \* \*. (F. D. C. No. 22448. Sample No. 62582-H.)**

**LABEL FILED:** January 31, 1947, Northern District of California.

**ALLEGED SHIPMENT:** On or about October 5, 1946, by Honor Brand Frosted Foods, Division of Stokely, Van Camp, Inc., from Bellingham, Wash.

**PRODUCT:** 150 cases, each containing 48 12-ounce packages, of frozen red raspberries at San Jose, Calif.

**LABEL, IN PART:** "Honor Brand Fresh Frosted Red Raspberries."

**NATURE OF CHARGE:** Misbranding, Section 403 (d), the container of the article was so filled as to be misleading, since it was sufficiently large to hold at least 1 pound and actually contained only about 12 ounces.

**DISPOSITION:** March 4, 1947. Stokely Foods, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be repackaged in compliance with the law, under the supervision of the Food and Drug Administration.

#### MISCELLANEOUS FRUIT AND FRUIT PRODUCTS\*

**12118. Adulteration of Spanish olives. U. S. v. 42 Casks \* \* \*. (F. D. C. No. 22416. Sample No. 60548-H.)**

**LABEL FILED:** January 20, 1947, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about December 17, 1946, by the Victor M. Calderon Company, Inc., from New York, N. Y.

**PRODUCT:** Olives. 12 casks of Queen Variety and 30 casks of Manzanilla Variety, each cask containing about 208 gallons of the product at McKees Rocks, Pa.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

**DISPOSITION:** July 17, 1947. The DeLuxe Products Company, McKees Rocks, Pa., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the fit portion be segregated and salvaged and that the remainder be destroyed, under the supervision of the Federal Security Agency.

**12119. Adulteration of Spanish Style olives. U. S. v. 70 Cases \* \* \*. (F. D. C. No. 22455. Sample No. 81396-H.)**

**LABEL FILED:** February 7, 1947, Eastern District of Washington.

**ALLEGED SHIPMENT:** On or about August 15, 1946, by the California Merchandising Co., from Los Angeles, Calif.

**PRODUCT:** 70 cases, each containing 24 10-ounce jars, of Spanish Style olives at Yakima, Wash.

**LABEL, IN PART:** "San Lucas Brand Spanish Style Olives \* \* \* Distributed by Acme Olive Co., Inc., Los Angeles, Calif."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

**DISPOSITION:** May 20, 1947. Default decree of condemnation and destruction.

**12120. Adulteration and misbranding of apple butter. U. S. v. Goodwin Preserving Company. Plea of nolo contendere. Fine, \$2,000 and costs. (F. D. C. No. 22073. Sample Nos. 49958-H, 53332-H, 64325-H.)**

**INFORMATION FILED:** September 22, 1947, Western District of Kentucky, against the Goodwin Preserving Co., Louisville, Ky.

**ALLEGED SHIPMENT:** On or about June 21, July 26, and August 7, 1946, from the State of Kentucky into the States of Alabama, Ohio, and New York.

\*See also Nos. 12005-12008

**LABEL, IN PART:** "Goodwin's Best [or "Best Extra Fancy Pure"] Apple Butter."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a product containing dried pear had been substituted in part for apple butter.

Misbranding, Section 403 (g) (1), the article purported to be, and was represented as, apple butter prepared from evaporated apples, a food for which a definition and standard of identity has been prescribed by the regulations; and the article failed to conform to such definition and standard since it contained added dried pear, which is not permitted as an ingredient of apple butter prepared from evaporated apples, in the definition and standard.

**DISPOSITION:** October 13, 1947. A plea of nolo contendere having been entered, the court imposed a fine of \$2,000, plus costs.

**12121. Adulteration and misbranding of apple butter. U. S. v. 76 Cases \* \* \*.**  
(F. D. C. No. 22534. Sample No. 91506-H.)

**LIBEL FILED:** February 17, 1947, District of Kansas.

**ALLEGED SHIPMENT:** On or about December 11, 1946, by the Delta County Canning Company, from Delta, Colo.

**PRODUCT:** 76 cases, each containing 6 7-pound, 8-ounce cans, of apple butter at Goodland, Kans.

**LABEL, IN PART:** "Town Talk Apple Butter."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a product of less than 43 percent soluble solids content had been substituted for apple butter.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for apple butter, since the soluble solids content was less than 43 percent, as required by the definition and standard.

**DISPOSITION:** May 26, 1947. Default decree of condemnation. The product was ordered delivered to the Kansas State Board of Social Welfare, for use in charitable institutions.

**12122. Adulteration of imitation blackberry preserves. U. S. v. 367 Cases \* \* \*.**  
(F. D. C. No. 22582. Sample No. 72951-H.)

**LIBEL FILED:** March 5, 1947, Western District of Kentucky.

**ALLEGED SHIPMENT:** On or about January 6, 1947, by the Charles C. Parks Company, from Gallatin, Tenn.

**PRODUCT:** 367 cases, each containing 12 2-pound jars, of imitation blackberry preserves at Louisville, Ky.

**LABEL, IN PART:** "Tuckiana Brand Imitation Blackberry Preserves 2 Lbs. Packed for C. R. Ubelhart Co., Inc., Louisville, Kentucky."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article was unfit for food by reason of its abnormal odor and taste, similar to iodoform.

**DISPOSITION:** April 28, 1947. Default decree of condemnation. The product was ordered delivered to a charitable institution, for use as animal feed.

**12123. Adulteration of imitation blackberry preserves. U. S. v. 119 Cases \* \* \*.**  
(F. D. C. No. 22583. Sample No. 72955-H.)

**LIBEL FILED:** March 8, 1947, Southern District of Indiana.

**ALLEGED SHIPMENT:** On or about September 19, 20, and 23, 1946, by the C. R. Ubelhart Co., Inc., from Louisville, Ky.

**PRODUCT:** 119 cases, each containing 12 2-pound jars, of imitation blackberry preserves at New Salisbury, Ind.

**LABEL, IN PART:** "Tuckiana Brand Imitation Blackberry Preserves."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article was unfit for food by reason of its abnormal odor and taste, similar to iodoform.

**DISPOSITION:** April 21, 1947. Default decree of forfeiture and destruction.

**12124. Adulteration and misbranding of grape jelly. U. S. v. 49 Cases \* \* \***  
(and 1 other seizure action). (F. D. C. Nos. 22601, 22602. Sample Nos. 39849-H, 39850-H.)

**LIBELS FILED:** March 5, 1947, Eastern District of Arkansas.

**ALLEGED SHIPMENT:** On or about January 24, 1947, by Edw. S. Ridgway and Co., from Salem, Ill.